IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 329 (MS) OF 2006

Sri Balmiki Mandir Management Committee (Regd.),
Near Platform Har Ki Pauri, Pargana, Jwalapur,
Tehsil & District Haridwar through its Member
Laxmi Narayan, S/o Hira Lal, R/o Jat Dharamshala,
Upper Road, Haridwar. .....Petitioner.

Versus

1. District Magistrate, Haridwar.
2. Kiran Pal, S/o Aishar, R/o Ghasmandi, Jwalapur, District Haridwar.
3. Sunil Rajor, S/o Goti, R/o Ghasmandi, Jwalapur, District Haridwar.
4. Rati Ram, S/o Musaddi Lal, R/o Balmiki Basti, Kankhal, District Haridwar.
5. Hansram Kataria, S/o Lekh Ram, R/o Ghasmandi, Jwalapur, District Haridwar.
6. Khem Chand, S/o Sri Gurubaksh,
7. Prem Chand, S/o Sri Charan,
8. Manoj S/o Jagdish Prasad,

Respondent Nos. 5 to 7 all R/o Bilkeshwar Road Colony, Haridwar, District Haridwar. .....Respondents.

Mr. K.S. Verma, Advocate for the petitioner.
Learned Standing Counsel for the respondent no.1.

Dated: 04.04.2006

Hon'ble Rajesh Tandon, J.

By the preset writ petition, the petitioner has prayed for a writ of mandamus commanding and directing the

respondent no. 1 restraining the respondents no. 2 to 8 (or any other person) from interfering in the peaceful functioning of the members and office bearers of Sri Balmiki Mandir Management Committee (Regd.) Near Platform, Har Ki Pauri, Pargana Jwalapur, Tehsil & District Haridwar.

Such writ petition is not maintainable under article 226/227 of the Constitution of India and the remedy is available to the petitioner to file a suit in a regular Court.

However, in case, the petitioner has any grievance, he may approach to the respondent no. 1 District Magistrate, who shall decide the controversy. In case, such a representation is made to the District Magistrate, he shall look into the matter and settle the dispute between the parties within a period of six weeks from the date of presentation of the certified copy of the order.

Subject to the aforesaid, writ petition disposed of. No order as to costs.

(Rajesh Tandon, J.)

04.04.2006
Rathour